

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen J. Mordfin, AICP, Case Manager
 JL Joel Lawson, Associate Director Development Review
DATE: January 20, 2015
SUBJECT: BZA Case 18907, 1811 Wiltberger Street, N.W.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following:

- § 403, Lot Occupancy (60 percent permitted, 90.6 percent proposed);
- § 404, Rear Yard (20 feet required, 3 feet proposed); and
- § 2001.3, Enlargements or Additions to Nonconforming Structures.

II. LOCATION AND SITE DESCRIPTION

Address	1811 Wiltberger Street, N.W.
Legal Description	Square 441, Lot 87
Ward	6E
Lot Characteristics	Rectangular lot with no alley access
Zoning	R-4: moderate density residential
Existing Development	Row dwelling, permitted in this zone.
Historic District	None
Adjacent Properties	North, South and East: Row dwellings West: Across Wiltberger Street, offices
Surrounding Neighborhood Character	Mixture of residential, office, warehousing, entertainment and commercial uses.

III. APPLICATION IN BRIEF

Proposal	Construction of a third floor with a roof deck above.
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IV. ZONING REQUIREMENTS and RELIEF REQUESTED

R-4 Zone	Regulation	Existing	Proposed	Relief
Height § 400	40-foot max.	22.7 feet	31.7 feet	None required

Lot Width § 401	18-foot min.	12.42 feet	12.42 feet	None required
Lot Area § 401	1,800 square-foot min.	397 square feet	397 square feet	None required
Floor Area Ratio § 402	None prescribed	--	--	None required
Lot Occupancy § 403	60% max.	90.6%	90.6%	Required
Rear Yard § 404	20-foot min.	3 feet	3 feet	Required

V. OFFICE OF PLANNING ANALYSIS

a. Variance Relief from § 403, Lot Occupancy

i. Exceptional Situation Resulting in a Practical Difficulty

The subject property is very small, consisting of 397 square feet or 22 percent of the minimum lot size required in the R-4, and is developed with a lot occupancy of 90.6 percent. Unless the applicant was to substantially reduce the footprint of the existing structure, which would be a practical difficulty, any building addition onto the subject dwelling would require a variance to lot occupancy.

ii. No Substantial Detriment to the Public Good

The proposed building addition onto the roof of the existing structure would not increase the existing lot occupancy or the footprint of the building. The building height would remain in conformance with the provisions of the R-4 zone. The addition would have two windows on the front of the building above the second-story windows, coordinating the proposed addition with the existing structure, and the front and sides of the addition would be faced in matching colors for consistency.

iii. No Substantial Harm to the Zoning Regulations

The requested relief would permit the applicant to expand a one-bedroom/one-bathroom row dwelling, a use permitted as a matter-of-right within the R-4, to include a second bedroom and full bath, without increasing the footprint or lot occupancy of the building. \

b. Variance Relief from § 404, Rear Yard

i. Exceptional Situation Resulting in a Practical Difficulty

The subject lot has a depth of 32 feet and is developed with a rear yard of three feet. Although the entire twenty-foot rear yard could be provided for the third floor addition to the roof and the roof deck, the result would be a roof addition shifted to the front of the structure, reducing the depth of the addition. It would also be located forward of the existing stairwell leading up to the roof from the second floor, requiring the addition of a secondary staircase within the master bedroom to access the third floor, an exceptional situation. It would be a practical difficulty for the applicant to require the installation of a second stairwell.

ii. No Substantial Detriment to the Public Good

The granting of this requested area variance would not result in any new nonconformity, but rather would maintain the existing three-foot rear yard characteristic of this row of houses.

iii. No Substantial Harm to the Zoning Regulations

The requested relief would allow the applicants to construct a third floor to their dwelling without creating any new nonconformities to the Zoning Regulations.

VI. COMMENTS OF OTHER DISTRICT AGENCIES

The District Department of Transportation, in a memorandum dated December 2, 2014, stated that it had no objection to the application.

VII. COMMUNITY COMMENTS

The applicant informed the Office of Planning that ANC 6E, at its regularly scheduled meeting of November 6, 2014, voted to support the application.

Two neighborhood residents submitted letters to the file in support of the application, including the adjacent neighbor to the south.

Attachment: Location Map

